

Senate File 541 - Introduced

SENATE FILE 541

BY COMMITTEE ON APPROPRIATIONS

(SUCCESSOR TO SSB 1215)

A BILL FOR

1 An Act relating to and making, reducing, and transferring
2 appropriations to state departments and agencies from
3 the rebuild Iowa infrastructure fund, the technology
4 reinvestment fund, the revenue bonds capitals fund, and
5 other funds, providing for related matters and including
6 effective date and retroactive applicability provisions.
7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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DIVISION I

REBUILD IOWA INFRASTRUCTURE FUND

Section 1. There is appropriated from the rebuild Iowa infrastructure fund to the following departments and agencies for the following fiscal years, the following amounts, or so much thereof as is necessary, to be used for the purposes designated:

1. DEPARTMENT OF ADMINISTRATIVE SERVICES

For projects related to major repairs and major maintenance and for state buildings and facilities:

FY 2011-2012..... \$ 3,000,000

a. Of the amount appropriated in this subsection, \$1,200,000 shall be allocated for exterior repairs and related improvements to the state historical building.

b. The department may use any remaining amounts appropriated in this subsection for routine maintenance as necessary, notwithstanding section 8.57, subsection 6, paragraph "c".

2. DEPARTMENT FOR THE BLIND

For replacement of air handlers and related improvements:

FY 2011-2012..... \$ 1,065,674

3. DEPARTMENT OF CORRECTIONS

a. For the construction project and one-time furniture, fixture, and equipment costs at Fort Madison:

FY 2011-2012..... \$ 5,155,077

FY 2012-2013..... \$ 18,269,124

FY 2013-2014..... \$ 3,000,000

b. For the construction project and one-time equipment costs at the Iowa correctional facility for women at Mitchellville:

FY 2011-2012..... \$ 3,361,556

FY 2012-2013..... \$ 5,391,062

FY 2013-2014..... \$ 26,769,040

4. DEPARTMENT OF CULTURAL AFFAIRS

For deposit into the Iowa great places program fund created

1 in section 303.3D for Iowa great places program projects that
2 meet the definition of the term "vertical infrastructure" in
3 section 8.57, subsection 6, paragraph "c":
4 FY 2011-2012..... \$ 1,000,000
5 5. DEPARTMENT OF ECONOMIC DEVELOPMENT
6 a. For accelerated career education program capital
7 projects at community colleges that are authorized under
8 chapter 260G and that meet the definition of vertical
9 infrastructure in section 8.57, subsection 6, paragraph "c":
10 FY 2011-2012..... \$ 5,000,000
11 b. For equal distribution to regional sports authority
12 districts certified by the department pursuant to section
13 15E.321, notwithstanding section 8.57, subsection 6, paragraph
14 "c":
15 FY 2011-2012..... \$ 500,000
16 c. For costs associated with the renovation, expansion,
17 and improvements of exhibits as part of a zoo capital campaign
18 located in a central Iowa city with a population between one
19 hundred ninety-five thousand and two hundred five thousand as
20 determined by the 2010 federal decennial census:
21 FY 2011-2012..... \$ 500,000
22 d. For interior and exterior renovations and repairs,
23 including improved energy efficiencies and compliance with
24 the federal Americans with Disabilities Act, for cabins at a
25 year-round camp for persons with disabilities in a central Iowa
26 city with a population between one hundred ninety-five thousand
27 and two hundred five thousand as determined by the 2010 federal
28 decennial census:
29 FY 2011-2012..... \$ 250,000
30 e. For administration and support of the world food prize
31 including the Borlaug/Ruan scholar program, notwithstanding
32 section 8.57, subsection 6, paragraph "c":
33 FY 2011-2012..... \$ 100,000
34 6. DEPARTMENT OF EDUCATION
35 a. To the public broadcasting division for the purchase of a

1 building in a city with a population between seventeen thousand
2 two hundred and seventeen thousand three hundred as determined
3 by the 2010 federal decennial census:

4 FY 2011-2012..... \$ 1,255,550

5 b. For major renovation and major repair needs, including
6 health, life, and fire safety needs and for compliance with the
7 federal Americans with Disabilities Act, for state buildings
8 and facilities under the purview of the community colleges:

9 FY 2011-2012..... \$ 1,000,000

10 7. DEPARTMENT OF HUMAN SERVICES

11 For the renovation and construction of certain nursing
12 facilities, consistent with the provisions of chapter 249K:

13 FY 2011-2012..... \$ 285,000

14 8. DEPARTMENT OF NATURAL RESOURCES

15 a. For floodplain management and dam safety,
16 notwithstanding section 8.57, subsection 6, paragraph "c":

17 FY 2011-2012..... \$ 2,000,000

18 Of the amounts appropriated in this lettered paragraph,
19 up to \$400,000 is authorized for stream gages to be used
20 for tracking and predicting flood events and for compiling
21 necessary data relating to flood frequency analysis.

22 b. For implementation of lake projects that have
23 established watershed improvement initiatives and community
24 support in accordance with the department's annual lake
25 restoration plan and report, notwithstanding section 8.57,
26 subsection 6, paragraph "c":

27 FY 2011-2012..... \$ 5,000,000

28 Of the amount appropriated in this lettered paragraph,
29 \$350,000 shall be allocated for a lake with public access
30 that has the support of a benefited lake district located in
31 a county with a population between seventeen thousand seven
32 hundred and seventeen thousand eight hundred as determined
33 by the 2010 federal decennial census. The allocated moneys
34 shall be used for purposes of completing a preconstruction
35 dam restoration study that would include a geotechnical

1 evaluation, hydrological studies, restoration alternatives, and
2 construction specifications.

3 c. For the administration of a water trails and low head
4 dam public hazard statewide plan, including salaries, support,
5 maintenance, and miscellaneous purposes, notwithstanding
6 section 8.57, subsection 6, paragraph "c":

7 FY 2011-2012..... \$ 75,000

8 d. For costs associated with the hiring and employment of an
9 asset manager at Honey creek resort state park, notwithstanding
10 section 8.57, subsection 6, paragraph "c":

11 FY 2011-2012..... \$ 100,000

12 e. For costs associated with dam repair for a lake with
13 public access that has the support of a benefitted lake
14 district located in a county with a population between
15 seventeen thousand seven hundred and seventeen thousand eight
16 hundred as determined by the 2010 federal decennial census:

17 FY 2012-2013..... \$ 2,500,000

18 FY 2013-2014..... \$ 2,500,000

19 Moneys appropriated for each fiscal year in this lettered
20 paragraph are contingent upon receipt of moneys on a
21 dollar-for-dollar matching basis from any source for each
22 fiscal year.

23 9. DEPARTMENT OF PUBLIC DEFENSE

24 a. For major maintenance projects at national guard
25 armories and facilities:

26 FY 2011-2012..... \$ 1,500,000

27 b. For renovation and facility improvements at the
28 Muscatine readiness center:

29 FY 2011-2012..... \$ 100,000

30 c. For construction improvement projects at statewide
31 readiness centers:

32 FY 2011-2012..... \$ 1,800,000

33 d. For construction upgrades at Camp Dodge including
34 sanitary system and sewer system improvements:

35 FY 2011-2012..... \$ 1,000,000

1 e. For renovation, repair, and related improvements at the
 2 joint forces headquarters building:
 3 FY 2011-2012..... \$ 1,000,000

4 10. DEPARTMENT OF PUBLIC SAFETY

5 For the provision of a statewide public safety radio network
 6 and the purchase of compatible radio communications equipment
 7 with the goal of achieving compliance with the federal
 8 communications commission's narrowbanding mandate deadline, and
 9 for achieving "interoperability", as defined in section 80.28,
 10 notwithstanding section 8.57, subsection 6, paragraph "c":
 11 FY 2011-2012..... \$ 2,500,000
 12 FY 2012-2013..... \$ 2,500,000
 13 FY 2013-2014..... \$ 2,500,000

14 Of the amounts appropriated in this subsection, the
 15 department of public safety may enter into a public-private
 16 partnership, through a competitive bidding process, for
 17 the provision of the statewide network and the purchase of
 18 compatible equipment.

19 On or before January 13, 2012, the department of public
 20 safety shall provide a report to the legislative services
 21 agency and the department of management. The report shall
 22 detail the status of the funds appropriated in this subsection
 23 and shall include the estimated needs of the departments of
 24 public safety, corrections, and natural resources to achieve
 25 interoperability and to meet the federal narrowbanding mandate,
 26 any changes in estimated costs to meet those needs, and the
 27 status of requests for proposals to develop a public-private
 28 partnership.

29 11. BOARD OF REGENTS

30 a. For allocation by the state board of regents to the
 31 state university of Iowa, the Iowa state university of
 32 science and technology, and the university of northern Iowa to
 33 reimburse the institutions for deficiencies in the operating
 34 funds resulting from the pledging of tuition, student fees
 35 and charges, and institutional income to finance the cost of

1 providing academic and administrative buildings and facilities
 2 and utility services at the institutions, notwithstanding
 3 section 8.57, subsection 6, paragraph "c":

4 FY 2011-2012..... \$ 24,305,412

5 b. For the Iowa flood center at the state university of Iowa
 6 for use by the university's college of engineering, pursuant
 7 to section 466C.1, notwithstanding section 8.57, subsection 6,
 8 paragraph "c":

9 FY 2011-2012..... \$ 1,300,000

10 c. For construction, renovation, and related improvements
 11 for phase II of the agricultural and biosystems engineering
 12 complex, including classrooms, laboratories, and offices at
 13 Iowa state university of science and technology:

14 FY 2011-2012..... \$ 2,000,000

15 FY 2012-2013..... \$ 19,800,000

16 FY 2013-2014..... \$ 20,000,000

17 FY 2014-2015..... \$ 18,600,000

18 d. For the renovation and related improvements to the dental
 19 science building at the state university of Iowa including but
 20 not limited to renovation of clinical spaces and development of
 21 a multidisciplinary clinical area:

22 FY 2011-2012..... \$ 2,000,000

23 FY 2012-2013..... \$ 11,000,000

24 FY 2013-2014..... \$ 8,000,000

25 FY 2014-2015..... \$ 8,000,000

26 e. For renovation and related improvements for Bartlett
 27 hall at the university of northern Iowa including providing
 28 faculty offices, seminar rooms, and laboratories in the
 29 building and the associated demolition of Baker hall:

30 FY 2011-2012..... \$ 2,000,000

31 FY 2012-2013..... \$ 7,286,000

32 FY 2013-2014..... \$ 9,767,000

33 FY 2014-2015..... \$ 1,947,000

34 12. DEPARTMENT OF TRANSPORTATION

35 a. For acquiring, constructing, and improving recreational

1 trails within the state:

2 FY 2011-2012..... \$ 2,500,000

3 Of the amount appropriated in this lettered paragraph "a",
4 \$500,000 shall be allocated for the development of a connecting
5 trail and for bicycle boulevard improvements in a central Iowa
6 city with a population between one hundred ninety-five thousand
7 and two hundred five thousand as determined by the 2010 federal
8 decennial census.

9 Of the amount appropriated in this lettered paragraph "a",
10 \$112,000 shall be allocated for the planning and development
11 of the Iowa portion of the Mississippi river trail located
12 in a county with a population between forty-two thousand and
13 forty-three thousand in the latest preceding certified federal
14 census and a county with a population between one hundred sixty
15 thousand and one hundred seventy-five thousand in the latest
16 preceding certified federal census.

17 b. For deposit into the public transit infrastructure
18 grant fund created in section 324A.6A, for projects that meet
19 the definition of "vertical infrastructure" in section 8.57,
20 subsection 6, paragraph "c":

21 FY 2011-2012..... \$ 1,500,000

22 c. For infrastructure improvements at the commercial
23 service airports within the state:

24 FY 2011-2012..... \$ 1,500,000

25 d. For infrastructure improvements at general aviation
26 airports within the state:

27 FY 2011-2012..... \$ 750,000

28 13. TREASURER OF STATE

29 For distribution in accordance with chapter 174 to qualified
30 fairs which belong to the association of Iowa fairs for county
31 fair infrastructure improvements:

32 FY 2011-2012..... \$ 1,060,000

33 14. DEPARTMENT OF VETERANS AFFAIRS

34 a. For transfer to the Iowa finance authority for the
35 continuation of the home ownership assistance program for

1 persons who are or were eligible members of the armed forces of
2 the United States, pursuant to section 16.54, notwithstanding
3 section 8.57, subsection 6, paragraph "c":

4 FY 2011-2012..... \$ 1,000,000

5 b. For the Iowa veterans home to upgrade generator emissions
6 controls to meet required stack emissions for four generators
7 and related improvements:

8 FY 2011-2012..... \$ 250,000

9 Sec. 2. REVERSION. For purposes of section 8.33, unless
10 specifically provided otherwise, unencumbered or unobligated
11 moneys made from an appropriation in this division of this Act
12 shall not revert but shall remain available for expenditure for
13 the purposes designated until the close of the fiscal year that
14 ends three years after the end of the fiscal year for which the
15 appropriation is made. However, if the project or projects for
16 which such appropriation was made are completed in an earlier
17 fiscal year, unencumbered or unobligated moneys shall revert at
18 the close of that same fiscal year.

19 DIVISION II

20 TECHNOLOGY REINVESTMENT FUND

21 Sec. 3. There is appropriated from the technology
22 reinvestment fund created in section 8.57C to the following
23 departments and agencies for the following fiscal years, the
24 following amounts, or so much thereof as is necessary, to be
25 used for the purposes designated:

26 1. DEPARTMENT OF ADMINISTRATIVE SERVICES

27 For technology improvement projects:

28 FY 2011-2012..... \$ 1,557,904

29 2. DEPARTMENT OF CORRECTIONS

30 For costs associated with the Iowa corrections offender
31 network data system:

32 FY 2011-2012..... \$ 500,000

33 3. DEPARTMENT OF EDUCATION

34 a. For maintenance and lease costs associated with
35 connections for part III of the Iowa communications network:

1 FY 2011-2012..... \$ 2,727,000

2 b. For the implementation of an educational data warehouse

3 that will be utilized by teachers, parents, school district

4 administrators, area education agency staff, department of

5 education staff, and policymakers:

6 FY 2011-2012..... \$ 600,000

7 The department may use a portion of the moneys appropriated

8 in this lettered paragraph for an e-transcript data system

9 capable of tracking students throughout their education via

10 interconnectivity with multiple schools.

11 4. DEPARTMENT OF HUMAN RIGHTS

12 For the cost of equipment and computer software for the

13 implementation of Iowa's criminal justice information system:

14 FY 2011-2012..... \$ 1,689,307

15 5. DEPARTMENT OF HUMAN SERVICES

16 For the purchase of software and for training costs

17 associated with the purchase of the software for a

18 community-based, nonprofit, nonresidential program serving

19 persons with disabilities, notwithstanding section 8.57C,

20 subsection 2:

21 FY 2011-2012..... \$ 11,000

22 6. IOWA TELECOMMUNICATIONS AND TECHNOLOGY COMMISSION

23 For replacement of equipment for the Iowa communications

24 network:

25 FY 2011-2012..... \$ 2,237,653

26 The commission may continue to enter into contracts pursuant

27 to section 8D.13 for the replacement of equipment and for

28 operation and maintenance costs of the network.

29 In addition to funds appropriated in this subsection, the

30 commission may use a financing agreement entered into by the

31 treasurer of state in accordance with section 12.28 for the

32 replacement of equipment for the network. For purposes of

33 this subsection, the treasurer of state is not subject to

34 the maximum principal limitation contained in section 12.28,

35 subsection 6. Repayment of any amounts financed shall be made

1 from receipts associated with fees charged for use of the
2 network.

3 7. DEPARTMENT OF MANAGEMENT

4 To develop a searchable database that can be placed on the
5 internet for budget and financial information:

6 FY 2011-2012..... \$ 580,000

7 8. DEPARTMENT OF PUBLIC SAFETY

8 a. For transfer to a firefighter association in a county
9 with a population between ninety thousand and ninety-five
10 thousand as determined by the 2010 federal decennial census
11 for a driving simulator to enhance the association's emergency
12 vehicle operations course:

13 FY 2011-2012..... \$ 80,000

14 b. For the purchase of an emergency diesel generator for
15 radio communications for a county with a population between
16 seventeen thousand and seventeen thousand one hundred fifty as
17 determined by the 2010 federal decennial census:

18 FY 2011-2012..... \$ 20,000

19 Sec. 4. REVERSION. For purposes of section 8.33, unless
20 specifically provided otherwise, unencumbered or unobligated
21 moneys made from an appropriation in this division of this Act
22 shall not revert but shall remain available for expenditure for
23 the purposes designated until the close of the fiscal year that
24 ends three years after the end of the fiscal year for which the
25 appropriation is made. However, if the project or projects for
26 which such appropriation was made are completed in an earlier
27 fiscal year, unencumbered or unobligated moneys shall revert at
28 the close of that same fiscal year.

29 DIVISION III

30 REVENUE BONDS CAPITALS

31 FUND — APPROPRIATIONS

32 Sec. 5. There is appropriated from the revenue bonds
33 capitals fund created in section 12.88, to the department of
34 corrections for the fiscal year beginning July 1, 2011, and
35 ending June 30, 2012, the following amount, or so much thereof

1 as is necessary, to be used for the purposes designated:

2 For the construction project and one-time equipment costs at
3 the Iowa correctional facility for women at Mitchellville:

4 \$ 4,130,952

5 For purposes of section 8.33, unless specifically provided
6 otherwise, unencumbered or unobligated moneys made from an
7 appropriation in this section shall not revert but shall remain
8 available for expenditure for the purposes designated until the
9 close of the fiscal year that ends three years after the end of
10 the fiscal year for which the appropriation was made. However,
11 if the project or projects for which such appropriation was
12 made are completed in an earlier fiscal year, unencumbered
13 or unobligated moneys shall revert at the close of that same
14 fiscal year.

15 DIVISION IV

16 GROW IOWA VALUES FUND

17 Sec. 6. GROW IOWA VALUES FUND APPROPRIATION REDUCTION. In
18 lieu of the \$50,000,000 appropriated for the fiscal year
19 beginning July 1, 2011, and ending June 30, 2012, from
20 the grow Iowa values fund to the department of economic
21 development pursuant to section 15G.111, subsection 3, there is
22 appropriated from the grow Iowa values fund to the department
23 of economic development for the fiscal year beginning July 1,
24 2011, and ending June 30, 2012, \$11,120,000 for the purposes of
25 making expenditures pursuant to chapter 15G.

26 Sec. 7. GROW IOWA VALUES FUND ALLOCATIONS. In lieu of the
27 amounts allocated pursuant to section 15G.111, subsections 4
28 through 11, for the fiscal year beginning July 1, 2011, and
29 ending June 30, 2012, of the \$11,120,000 appropriated to the
30 department of economic development pursuant to this division of
31 this Act, the department shall allocate the following amounts
32 for the following purposes as described in section 15G.111,
33 subsections 4 through 11:

34 1. For departmental purposes, \$4,620,000. Of the moneys
35 allocated in this subsection, the department may use up to

1 \$400,000 for administrative costs.

2 2. For the state board of regents institutions, \$2,500,000.

3 3. For state parks, \$0.

4 4. For deposit in the Iowa cultural trust fund, \$0.

5 5. For community colleges, \$4,000,000.

6 6. For regional financial assistance, \$0.

7 7. For commercialization services, \$0.

8 8. For targeted small business, \$0.

9 Sec. 8. NEW SECTION. 15G.107 Subchapter repealed — new
10 program proposal.

11 1. This subchapter of this chapter is repealed on June 30,
12 2012.

13 2. On or before November 30, 2011, the department of
14 economic development shall propose to the general assembly a
15 new business development financial assistance program.

16 3. On or before November 30, 2011, the department of
17 economic development shall propose to the general assembly
18 any changes in law necessary to implement the repeal of this
19 subchapter.

20 Sec. 9. Section 15G.110, Code 2011, is amended by striking
21 the section and inserting in lieu thereof the following:

22 **15G.110 Appropriation.**

23 For the fiscal year beginning July 1, 2011, and ending June
24 30, 2012, there is appropriated to the department of economic
25 development eleven million one hundred twenty thousand dollars
26 from the rebuild Iowa infrastructure fund for deposit in the
27 grow Iowa values fund, notwithstanding section 8.57, subsection
28 6, paragraph "c".

29 Sec. 10. Section 15G.111, subsection 2, Code 2011, is
30 amended by adding the following new paragraph:

31 NEW PARAGRAPH. d. Of the moneys transferred to the fund
32 pursuant to 2009 Iowa Acts, chapter 123, section 9, the
33 department, with the approval of the board, may allocate
34 an amount necessary to fund administrative and operations
35 costs. An allocation pursuant to this paragraph may be made

1 in addition to any allocations made pursuant to subsection 4,
2 paragraph "a".

3 DIVISION V

4 GAMBLING REVENUES — CONTINGENT APPROPRIATION

5 Sec. 11. GAMBLING REVENUES — APPROPRIATION. For the fiscal
6 year beginning July 1, 2011, and ending June 30, 2012, there
7 is appropriated from the rebuild Iowa infrastructure fund an
8 amount equal to the gambling revenues in excess of the revenue
9 estimate determined by the revenue estimating conference on
10 March 25, 2011, for the fiscal year ending June 30, 2011,
11 pursuant to section 8.22A, subsection 5, paragraph "b", to
12 the department of transportation for deposit in the passenger
13 rail service revolving fund created in section 327J.2,
14 notwithstanding section 8.57, subsection 6, paragraph "c".

15 DIVISION VI

16 MISCELLANEOUS CODE CHANGES

17 Sec. 12. Section 8.57, subsection 6, paragraph f, Code 2011,
18 is amended to read as follows:

19 f. There is appropriated from the rebuild Iowa
20 infrastructure fund to the secure an advanced vision for
21 education fund created in section 423F.2, for each fiscal
22 year of the fiscal period beginning July 1, 2008, and ending
23 June 30, 2010, ~~and for each fiscal year of the fiscal period~~
24 ~~beginning July 1, 2011, and ending June 30, 2014,~~ the amount of
25 the moneys in excess of the first forty-seven million dollars
26 credited to the rebuild Iowa infrastructure fund during the
27 fiscal year, not to exceed ten million dollars.

28 Sec. 13. Section 8.57A, subsection 4, Code 2011, is amended
29 to read as follows:

30 4. a. There is appropriated from the rebuild Iowa
31 infrastructure fund for the fiscal ~~years~~ year beginning July
32 ~~1, 2008, July 1, 2009, and July 1, 2011~~ 2012, and for each
33 fiscal year thereafter, the sum of forty-two million dollars
34 to the environment first fund, notwithstanding section 8.57,
35 subsection 6, paragraph "c".

1 *b.* There is appropriated from the rebuild Iowa
2 infrastructure fund each fiscal year for the ~~fiscal-year period~~
3 beginning July 1, 2010, and ending June 30, ~~2011~~ 2012, the sum
4 of thirty-three million dollars to the environment first fund,
5 notwithstanding section 8.57, subsection 6, paragraph "c".

6 Sec. 14. Section 8.57C, subsection 3, paragraphs a and c,
7 Code 2011, are amended to read as follows:

8 *a.* There is appropriated from the general fund of the state
9 for the ~~fiscal years~~ year beginning ~~July 1, 2006, July 1,~~
10 ~~2007,~~ July 1, ~~2011~~ 2012, and for each subsequent fiscal year
11 thereafter, the sum of seventeen million five hundred thousand
12 dollars to the technology reinvestment fund.

13 *c.* There is appropriated from the rebuild Iowa
14 infrastructure fund for ~~the~~ each fiscal year of the period
15 beginning July 1, 2010, and ending June 30, 2012, the sum
16 of ten million dollars to the technology reinvestment fund,
17 notwithstanding section 8.57, subsection 6, paragraph "c".

18 Sec. 15. Section 8A.321, subsection 6, Code 2011, is amended
19 by adding the following new paragraph:

20 NEW PARAGRAPH. *d.* (1) The department shall annually issue
21 a request for proposals for leasing privately owned office
22 space for state employees in the downtown area of the city
23 of Des Moines. Prior to replacing or renovating publicly
24 owned buildings or relocating any state agencies to any space
25 in publicly owned buildings, the department shall use such
26 proposals to compare the costs of privately owned space to
27 publicly owned space. The department shall locate state
28 employees in office space in the most cost-efficient manner
29 possible. In determining cost efficiency, the department shall
30 consider all costs of the publicly owned space, the costs of
31 the original acquisition of the publicly owned space, the costs
32 of tenant improvements to the publicly owned space, and the
33 anticipated economic and useful life of the publicly owned
34 building space.

35 (2) Subparagraph (1) shall not apply when emergency

1 circumstances exist. Actions taken during an emergency which
2 would otherwise violate subparagraph (1) shall be limited
3 in scope and duration to meet the emergency. An emergency
4 includes but is not limited to a condition that does any of the
5 following:

6 (a) Threatens public health, welfare, or safety.

7 (b) In which there is a need to protect the health, welfare,
8 or safety of persons occupying or visiting a public improvement
9 or property located adjacent to the public improvement.

10 (c) In which the department or agency must act to preserve
11 critical services or programs.

12 (d) In which the need is a result of events or circumstances
13 not reasonably foreseeable.

14 Sec. 16. Section 12.82, subsection 1, Code 2011, is amended
15 to read as follows:

16 1. A school infrastructure fund is created and established
17 as a separate and distinct fund in the state treasury under the
18 control of the department of education. The Notwithstanding
19 any other provision of this chapter, the fund shall be used for
20 purposes of the school infrastructure program established in
21 section 292.2.

22 Sec. 17. Section 12.82, Code 2011, is amended by adding the
23 following new subsection:

24 NEW SUBSECTION. 3A. Any amounts remaining in the school
25 infrastructure fund at the end of the fiscal year beginning
26 July 1, 2010, and for each fiscal year thereafter, which are
27 determined by the treasurer of state to be unencumbered and
28 unobligated and otherwise unnecessary to make the payments for
29 such fiscal year, shall be transferred to the rebuild Iowa
30 infrastructure fund.

31 Sec. 18. Section 15F.204, subsection 8, paragraph a,
32 subparagraph (6), Code 2011, is amended to read as follows:

33 (6) For the fiscal year beginning July 1, 2011, and ending
34 June 30, 2012, the sum of five million three hundred thousand
35 dollars.

1 Sec. 19. Section 15F.204, subsection 8, paragraph b, Code
2 2011, is amended by striking the paragraph.

3 Sec. 20. Section 16.193, subsection 2, Code 2011, is amended
4 to read as follows:

5 2. ~~During the term of the Iowa jobs program established~~
6 ~~in section 16.194 and the Iowa jobs II program established~~
7 ~~in section 16.194A~~ For the period beginning July 1, 2009,
8 and ending June 30, 2011, two hundred thousand dollars of
9 the moneys deposited in the rebuild Iowa infrastructure
10 fund shall be allocated each fiscal year to the Iowa finance
11 authority for purposes of administering the Iowa jobs program,
12 notwithstanding section 8.57, subsection 6, paragraph "c".

13 Sec. 21. EFFECTIVE UPON ENACTMENT. The sections of this
14 division amending section 12.82, being deemed of immediate
15 importance, takes effect upon enactment.

16 DIVISION VII

17 CHANGES TO PRIOR APPROPRIATIONS

18 Sec. 22. 2004 Iowa Acts, chapter 1175, section 288,
19 subsection 7, paragraph d, as amended by 2010 Iowa Acts,
20 chapter 1184, section 51, is amended to read as follows:

21 d. For allocation to the public broadcasting division for
22 costs of installation of digital and analog television for Iowa
23 public television facilities, notwithstanding section 8.57,
24 subsection 5, paragraph "c":

25 FY 2004-2005.....	\$ 8,000,000
26 FY 2005-2006.....	\$ 8,000,000
27 FY 2006-2007.....	\$ 2,300,000

28 Of the amounts appropriated in this lettered paragraph, up
29 to \$1,000,000 may be used for operational costs of the division
30 for the fiscal years beginning July 1, 2011, and July 1, 2012.

31 Notwithstanding section 8.33, 2004 Iowa Acts, chapter 1175,
32 section 290, or any other provision of law, moneys allocated in
33 this lettered paragraph that remain unencumbered or unobligated
34 at the close of a fiscal year shall not revert but shall
35 remain available for expenditure for the purposes designated

1 until the close of the fiscal year that begins July 1, 2012.
 2 ~~However, if the projects for which the moneys are appropriated~~
 3 ~~are completed in an earlier fiscal year, unencumbered or~~
 4 ~~unobligated moneys shall revert at the close of that fiscal~~
 5 ~~year.~~

6 Sec. 23. 2006 Iowa Acts, chapter 1179, section 18, is
 7 amended by adding the following new subsection:

8 NEW SUBSECTION. 5. Except for the allocation to Des Moines
 9 area community college and notwithstanding section 8.33, moneys
 10 appropriated from the endowment for Iowa's health restricted
 11 capitals fund for the fiscal year beginning July 1, 2006, and
 12 ending June 30, 2007, in this division of this Act to the
 13 department of public safety for allocation to the division of
 14 fire protection that remain unencumbered or unobligated at the
 15 close of the fiscal year shall not revert but shall remain
 16 available for expenditure for the purposes designated until
 17 the close of the fiscal year beginning July 1, 2011, or until
 18 the project for which appropriated is completed, whichever is
 19 earlier. This subsection shall apply in lieu of subsection 1
 20 of this section.

21 Sec. 24. 2007 Iowa Acts, chapter 219, section 2, is amended
 22 to read as follows:

23 SEC. 2. REVERSION.

24 1. Notwithstanding Except as provided in subsection 2 and
 25 notwithstanding section 8.33, moneys appropriated for the
 26 fiscal year beginning July 1, 2007, in this division of this
 27 Act that remain unencumbered or unobligated at the close of
 28 the fiscal year shall not revert but shall remain available
 29 for the purposes designated until the close of the fiscal year
 30 that begins July 1, 2010, or until the project for which the
 31 appropriation was made is completed, whichever is earlier.

32 2. a. Notwithstanding section 8.33, moneys appropriated
 33 in section 1, subsection 1, paragraphs "a" and "f" of this
 34 division of this Act that remain unencumbered or unobligated at
 35 the close of the fiscal year for which they were appropriated

1 shall not revert but shall remain available for the purposes
 2 designated until the close of the fiscal year that begins July
 3 1, 2011, or until the project for which the appropriation was
 4 made is completed, whichever is earlier.

5 b. The department of administrative services is authorized
 6 to provide for the disposition and relocation of structures
 7 located at 707 east locust and 709 east locust, Des Moines,
 8 Iowa, in a manner as deemed appropriate by the department.
 9 The disposition of the structures, if possible, shall be
 10 completed in a manner that reduces or eliminates the costs
 11 of the state associated with the removal of the structures
 12 from their current locations. Any amount received from the
 13 disposition of the structures as permitted under this section
 14 shall be retained by the department to pay for improvement
 15 costs associated with the restoration of the west capitol
 16 terrace. The department, if unable to otherwise dispose of the
 17 structures, is authorized to demolish the structure using other
 18 appropriate funding available to the department.

19 Sec. 25. 2008 Iowa Acts, chapter 1179, section 7, as amended
 20 by 2009 Iowa Acts, chapter 173, section 21, and 2010 Iowa Acts,
 21 chapter 1184, section 58, is amended to read as follows:

22 SEC. 7. DEPARTMENT OF ECONOMIC DEVELOPMENT. There is
 23 appropriated from the rebuild Iowa infrastructure fund to
 24 the department of economic development for the designated
 25 fiscal years the following amounts, or so much thereof as is
 26 necessary, to be used for the purposes designated:

27 For deposit into the river enhancement community attraction
 28 and tourism fund created in 2008 Iowa Acts, Senate File 2430,
 29 if enacted:

30	FY 2009-2010.....	\$	0
31	FY 2010-2011.....	\$	0
32	FY 2011-2012.....	\$	10,000,000
33			<u>3,000,000</u>
34	FY 2012-2013.....	\$	10,000,000

35 Notwithstanding section 8.33, moneys appropriated in this

1 section for the fiscal year beginning July 1, 2011, and ending
 2 June 30, 2012, shall not revert at the close of the fiscal year
 3 for which they are appropriated but shall remain available
 4 for the purpose designated until the close of the fiscal year
 5 that begins July 1, 2014, or until the project for which the
 6 appropriation was made is completed, whichever is earlier.

7 Notwithstanding section 8.33, moneys appropriated in this
 8 section for the fiscal year beginning July 1, 2012, and ending
 9 June 30, 2013, shall not revert at the close of the fiscal year
 10 for which they are appropriated but shall remain available
 11 for the purpose designated until the close of the fiscal year
 12 that begins July 1, 2015, or until the project for which the
 13 appropriation was made is completed, whichever is earlier.

14 Sec. 26. 2010 Iowa Acts, chapter 1184, section 2, subsection
 15 3, is amended to read as follows:

16 3. DEPARTMENT OF TRANSPORTATION

17 For deposit into the passenger rail service revolving
 18 fund created in section 327J.2 for matching federal funding
 19 available through the federal Passenger Rail Investment
 20 and Improvement Act of 2008 for passenger rail service,
 21 notwithstanding section 8.57, subsection 6, paragraph "c":

22 FY 2011-2012.....	\$ 6,500,000
23	<u>0</u>
24 FY 2012-2013.....	\$ 6,500,000

25 It is the intent of the general assembly to fund up to
 26 \$20 million over a four-year period to fully fund the state
 27 commitment for matching federal funding available through the
 28 federal Passenger Rail Investment and Improvement Act of 2008.

29 Sec. 27. 2010 Iowa Acts, chapter 1184, section 10,
 30 subsection 8, is amended to read as follows:

31 8. TREASURER OF STATE

32 For transfer to the watershed improvement review board
 33 created in section 466A.3 for grants associated with the
 34 ~~construction and restoration of wetland easements and flood~~
 35 ~~prevention watershed improvement~~ projects:

1 \$ 2,000,000

2 Notwithstanding section 466A.5, moneys from the
3 appropriation in this subsection shall not be used for
4 administrative purposes.

5 Sec. 28. 2010 Iowa Acts, chapter 1184, section 14, is
6 amended to read as follows:

7 SEC. 14. There is appropriated from the ~~FY 2009 prison~~
8 ~~bonding fund created pursuant to section 12.79~~ rebuild Iowa
9 infrastructure fund to the department of corrections for the
10 fiscal year beginning July 1, 2010, and ending June 30, 2011,
11 the following amount, or so much thereof as is necessary, to be
12 used for the purpose designated, notwithstanding section 8.57,
13 subsection 6, paragraph "c":

14 ~~For costs associated with the building of a new Iowa State~~
15 ~~penitentiary at Fort Madison~~ project management costs at Fort
16 Madison and Mitchellville prisons, associated with construction
17 projects at the department:

18 \$ 322,500

19 ~~The appropriation made in this section constitutes approval~~
20 ~~by the general assembly for the issuance of bonds by the~~
21 ~~treasurer of state pursuant to section 12.80.~~

22 Sec. 29. 2010 Iowa Acts, chapter 1184, section 37, is
23 amended to read as follows:

24 SEC. 37. SITE DEVELOPMENT CONSULTATIONS

25 APPROPRIATION. There is appropriated from the school
26 infrastructure fund created in section 12.82 to the department
27 of economic development for the fiscal year beginning July
28 1, 2010, and ending June 30, 2011, the following amount, or
29 so much thereof as is necessary, to be used for the purposes
30 designated:

31 For providing site development consultations pursuant to
32 section 15E.18, including salaries, support, maintenance,
33 miscellaneous purposes, and for not more than the following
34 full-time equivalent positions, notwithstanding section 12.82,
35 subsection 1:

1 \$ 175,000
 2 FTEs 1.00

3 Of the moneys appropriated to the department pursuant to
 4 this section, the department may allocate up to \$75,000 for
 5 purposes of contracting with third parties to provide site
 6 development consultations.

7 Sec. 30. 2010 Iowa Acts, chapter 1184, section 39, is
 8 amended to read as follows:

9 SEC. 39. BUSINESS ASSISTANCE INTERNET SITE

10 APPROPRIATION. There is appropriated from the school
 11 infrastructure fund created in section 12.82 to the department
 12 of economic development for the fiscal year beginning July
 13 1, 2010, and ending June 30, 2011, the following amount, or
 14 so much thereof as is necessary, to be used for the purposes
 15 designated:

16 For purposes of creating a business assistance internet
 17 site, notwithstanding section 12.82, subsection 1:

18 \$ 20,000

19 Sec. 31. 2010 Iowa Acts, chapter 1184, section 43, is
 20 amended to read as follows:

21 SEC. 43. SAVE OUR SMALL BUSINESSES FUND

22 APPROPRIATION. There is appropriated from the school
 23 infrastructure fund created in section 12.82 to the department
 24 of economic development for deposit in the save our small
 25 businesses fund for the fiscal year beginning July 1, 2010, and
 26 ending June 30, 2011, the following amount, or so much thereof
 27 as is necessary, to be used for the purposes designated,
 28 notwithstanding section 12.82, subsection 1:

29 For purposes of providing financial assistance under the
 30 save our small businesses program under section 15.301:

31 \$ 5,000,000

32 Of the moneys appropriated pursuant to this section, the
 33 department may allocate an amount not to exceed two percent of
 34 the moneys appropriated for purposes of retaining the services
 35 of an organization designated pursuant to section 15.301,

1 subsection 2, paragraph "b".

2 Sec. 32. 2010 Iowa Acts, chapter 1193, section 6, is amended
3 to read as follows:

4 SEC. 6. INSTRUCTIONAL SUPPORT STATE AID —
5 APPROPRIATION. In lieu of the appropriation provided
6 in section 257.20, there is appropriated from the school
7 infrastructure fund created in section 12.82, subsection 1,
8 to the department of education for the fiscal year beginning
9 July 1, 2010, and ending June 30, 2011, the following amount,
10 or so much thereof as is necessary, to be used for the purposes
11 designated:

12 For paying instructional support state aid for fiscal year
13 2010-2011, notwithstanding section 12.82, subsection 1:

14 \$ 7,500,000

15 Notwithstanding section 257.20, subsection 3, the
16 appropriation made in this lettered paragraph shall be
17 allocated in the same manner as the allocation of the
18 appropriation was made for the same purpose in the previous
19 fiscal year.

20 Sec. 33. 2011 Iowa Acts, House File 45, section 2,
21 subsection 2, is amended by adding the following new paragraph:

22 c. This subsection shall not apply to any appropriations
23 for the fiscal year beginning July 1, 2010, receiving a
24 supplemental appropriation under 2011 Iowa Acts, Senate File
25 209, or any multiyear appropriation that includes the fiscal
26 year beginning July 1, 2009, for equipment as determined by the
27 department of management.

28 Sec. 34. EFFECTIVE UPON ENACTMENT. This division of this
29 Act, being deemed of immediate importance, takes effect upon
30 enactment.

31 Sec. 35. RETROACTIVE APPLICABILITY. The provision of this
32 division of this Act amending 2011 Iowa Acts, House File 45,
33 section 2, subsection 2, applies retroactively to March 7,
34 2011.

35 DIVISION VIII

1 MISCELLANEOUS

2 Sec. 36. WELCOME CENTER DESIGNATION.

3 Notwithstanding any provision of section 15.272 to the
4 contrary, the department of economic development shall by
5 January 1, 2012, select a site in or near the city of Nashua for
6 designation as a statewide welcome center under the statewide
7 welcome center program.

8 Sec. 37. IOWA BUILDING LEASES. The department of
9 administrative services may utilize space in the Iowa building
10 for purposes of entering into short term leases with persons
11 associated with the media who request space for the purpose
12 of providing media coverage of the 2012 Iowa presidential
13 caucuses. Moneys received pursuant to any such lease
14 agreements shall be retained by and are appropriated to the
15 department for purposes of operational costs of the Iowa
16 building.

17 DIVISION IX

18 CONDITIONAL EFFECTIVE DATE

19 AND RETROACTIVE APPLICABILITY

20 Sec. 38. EFFECTIVE DATE AND RETROACTIVE
21 APPLICABILITY. Unless otherwise provided, this Act, if
22 approved by the governor on or after July 1, 2011, takes effect
23 upon enactment and applies retroactively to July 1, 2011.

24 EXPLANATION

25 This bill relates to and makes, reduces, and transfers
26 appropriations to state departments and agencies from the
27 rebuild Iowa infrastructure fund, the technology reinvestment
28 fund, the revenue bonds capitals fund, and other funds, and
29 provides for related matters and effective dates.

30 REBUILD IOWA INFRASTRUCTURE FUND APPROPRIATIONS. This
31 division appropriates project funding for FY 2011-2012 from
32 the rebuild Iowa infrastructure fund, including projects for
33 the departments of administrative services, for the blind,
34 corrections, cultural affairs, economic development, education,
35 human services, natural resources, public defense, public

1 safety, transportation, and veterans affairs, and to the state
2 board of regents and the treasurer of state.

3 The division appropriates project funding for FY 2012-2013
4 from the rebuild Iowa infrastructure fund, including projects
5 for the departments of corrections, natural resources, and
6 public safety, and to the state board of regents.

7 The division appropriates project funding for FY 2013-2014
8 from the rebuild Iowa infrastructure fund to the departments of
9 corrections, natural resources, and public safety, and to the
10 state board of regents.

11 The division appropriates project funding for FY 2014-2015
12 from the rebuild Iowa infrastructure fund to the state board
13 of regents.

14 TECHNOLOGY REINVESTMENT FUND — APPROPRIATIONS. This
15 division appropriates project funding for FY 2011-2012
16 from the technology reinvestment fund to the departments of
17 administrative services, corrections, education, human rights,
18 human services, management, and public safety, and to the Iowa
19 telecommunications and technology commission.

20 REVENUE BONDS CAPITALS FUND — APPROPRIATIONS. This
21 division appropriates project funding for FY 2011-2012 from the
22 revenue bonds capitals fund to the department of corrections.

23 GROW IOWA VALUES FUND. Division IV makes appropriations
24 to the department of economic development in lieu of the
25 standing appropriations for the grow Iowa values fund in Code
26 chapter 15G. The division appropriates \$11.62 million to the
27 department and directs that \$2.5 million be allocated to the
28 state board of regents and \$4 million to the community colleges
29 for the purposes described in Code chapter 15G. The remainder
30 may be used for departmental purposes. The division repeals
31 the grow Iowa values fund and financial assistance program as
32 of June 30, 2012, and requires the department to propose a
33 new financial assistance program to the general assembly by
34 November 30, 2011.

35 GAMBLING REVENUES — CONTINGENT APPROPRIATION. This

1 division appropriates for the fiscal year beginning July 1,
2 2010, from the rebuild Iowa infrastructure fund an amount equal
3 to the gambling revenues in excess of the revenue estimate to
4 the department of transportation for deposit in the passenger
5 rail revolving fund.

6 MISCELLANEOUS CODE CHANGES. This division eliminates
7 FY 2011-2012, FY 2012-2013, and FY 2013-2014 standing
8 appropriations from the rebuild Iowa infrastructure fund to the
9 secure an advanced vision for education fund created in Code
10 section 423F.2.

11 The division reduces the FY 2011-2012 standing appropriation
12 from the rebuild Iowa infrastructure fund to the environment
13 first fund from \$42 million to \$33 million.

14 The division eliminates the \$17.5 million standing
15 appropriation from the general fund of the state to the
16 technology reinvestment fund for FY 2011-2012 and appropriates
17 \$10 million from the rebuild Iowa infrastructure fund to the
18 technology reinvestment fund for FY 2011-2012.

19 The division amends Code section 8A.321 to require the
20 department of administrative services to annually issue a
21 request for proposals for leasing privately owned office
22 space for state employees in downtown Des Moines. Prior to
23 replacing or renovating publicly owned buildings or relocating
24 state agencies to any space in publicly owned buildings, the
25 department shall use such proposals to compare the costs of
26 privately owned space to publicly owned space. Location of
27 state employees in office space must be done in the most
28 cost-efficient manner possible. These requirements do not apply
29 where emergency circumstances exist.

30 The division amends Code section 12.82 to provide that any
31 amounts remaining in the school infrastructure fund at the end
32 of the fiscal year beginning July 1, 2010, shall be transferred
33 to the rebuild Iowa infrastructure fund. This provision takes
34 effect upon enactment.

35 The division increases the standing appropriation for FY

1 2011-2012 from the rebuild Iowa infrastructure fund to the
2 community attraction and tourism fund from \$5 million to \$5.3
3 million.

4 The division eliminates standing appropriations for FY
5 2011-2012 and FY 2012-2013 from the franchise tax revenues
6 deposited in the general fund of the state to the community
7 attraction and tourism fund.

8 The division eliminates the standing appropriation from the
9 rebuild Iowa infrastructure fund to the Iowa finance authority
10 for deposit into the housing trust fund for FY 2011-2012.

11 The division eliminates the \$200,000 appropriation from the
12 rebuild Iowa infrastructure fund to the Iowa finance authority
13 for administration of the Iowa jobs program.

14 This division provides that up to \$1 million of amounts
15 allocated to the public broadcasting division for installation
16 of digital and analog television for Iowa public television
17 broadcasting facilities can be used for operational costs of
18 the division for FY 2011-2012.

19 CHANGES TO PRIOR APPROPRIATIONS. The division extends the
20 reversion date for projects appropriated to the department of
21 public safety from the endowment for Iowa's health restricted
22 capitals fund for FY 2006-2007.

23 The division provides that moneys appropriated for FY
24 2007-2008 from the rebuild Iowa infrastructure fund to the
25 department of administrative services for relocation and
26 project costs directly associated with remodeling projects
27 on the capitol complex and facility lease payments and
28 for restoration of the west capitol terrace that remain
29 unencumbered or unobligated do not revert but remain available
30 in FY 2011-2012 for disposition and relocation of designated
31 structures and improvement costs associated with the
32 restoration of the west capitol terrace.

33 The division reduces from \$10 million to \$3 million
34 the appropriation for FY 2011-2012 from the rebuild Iowa
35 infrastructure fund to the department of economic development

1 for deposit into the river enhancement community attraction and
2 tourism fund.

3 The division eliminates the \$6.5 million appropriation from
4 the rebuild Iowa infrastructure fund to the department of
5 transportation for the passenger rail service revolving fund
6 for FY 2011-2012 and adds an appropriation in that amount for
7 FY 2012-2013.

8 The division makes changes to the FY 2010-2011
9 appropriations from the revenue bonds capitals II fund to the
10 treasurer of state, from FY 2009 prison bonding fund to the
11 department of corrections, and from the school infrastructure
12 fund to the department of economic development.

13 The division specifies that appropriations from the school
14 infrastructure fund to the department of economic development
15 for a business assistance internet site and the save our
16 small businesses fund and to the department of education for
17 instructional support school aid are made notwithstanding the
18 requirements of Code section 12.82, subsection 1.

19 The division provides that the limitation on state
20 departments for purchasing office supplies and equipment,
21 printing, and marketing enacted in 2011 Iowa Acts, House File
22 45, is not applicable to specified appropriations. This
23 provision is retroactively applicable to March 2, 2011.

24 The division takes effect upon enactment.

25 MISCELLANEOUS. This division requires the department of
26 economic development to select a site in or near the city of
27 Nashua for designation as a statewide welcome center. The
28 division also allows the department of administrative services
29 to enter into short term leases for space in the Iowa building
30 with persons associated with the media who are covering the
31 2012 Iowa presidential caucuses.

32 CONDITIONAL EFFECTIVE DATE AND RETROACTIVE APPLICABILITY.
33 Unless otherwise provided, the bill, if approved by the
34 governor on or after July 1, 2011, takes effect upon enactment
35 and applies retroactively to July 1, 2011.